

RECEIVED
CENTRAL FAX CENTER

Feb 02 2006 4:08PM

HP LASERJET FAX

7814019966

FEB 02 2006

P. 1

DALY, CROWLEY, MOFFORD & DURKEE, LLP

Telephone: 781-401-9988

Facsimile: 781-401-9966

FACSIMILE TRANSMITTAL SHEET

Including this transmittal sheet, document consists of 11 pages.

Date: February 2, 2006

To: Commissioner for Patents

From: Paul D. Durkee, Esq.

Examiner: Leslie Wong

Group Art: 2162

Company: U.S. PTO

Facsimile Number: 571-273-8300

Telephone Number:

MESSAGE

RE: U.S. Patent Application of Neil F. Schutzman, et al.
Entitled: Attribute Based Resource Allocation
Filed on: July 19, 2001
U.S. Appl. No.: 09/909,025
Our Ref. No.: EMC-011PUS

PLEASE CONFIRM RECEIPT OF THIS FACSIMILE TRANSMISSION.

THANK YOU.

STATEMENT OF CONFIDENTIALITY

The documents included with this facsimile transmittal sheet contain information which is confidential and/or privileged. The information is intended to be for the use of the addressee named on this transmittal sheet. If you are not the addressee, note that any disclosure, photocopying, distribution or use of the contents of this facsimile information is prohibited. If you have received this facsimile in error, please notify us by telephone (collect) immediately so that we can arrange for the retrieval of the original documents at no cost to you.

**IF THERE IS A PROBLEM WITH THIS TRANSMISSION, OR IF YOU DID NOT
RECEIVE ALL PAGES, PLEASE CALL 781-401-9988 X34 AS SOON AS POSSIBLE**

\\server01\client_files\Prolaw documents\EMC-011PUS\23249.doc

CENTRAL FAX CENTER

FEB 02 2006


PTO/SB/21 (09-04)

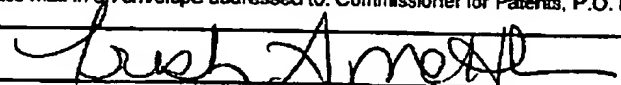
Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/909,025	
	Filing Date	July 19, 2001	
	First Named Inventor	Nell F. Schutzman	
	Art Unit	2164	
	Examiner Name	Leslie Wong	
Total Number of Pages in This Submission	10	Attorney Docket Number	EMC-011PUS

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (Supplemental) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Daly, Crowley, Mofford & Durkee, LLP		USPTO Customer No. 51576
Signature			
Printed name	Paul D. Durkee		
Date	2 Feb 06	Reg. No.	41,003

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Trish A. McHugh	Date 2-2-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEB 02 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/909,025
Applicant : Neil F. Schutzman, et al.
Filed : July 19, 2001
T.C./A.U. : 2164
Examiner : Leslie Wong

Confirmation No.: 9106

Docket No. : EMC-011PUS
Customer No. : 51576

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being transmitted via facsimile to Commissioner for Patents at 571-273-8300 or deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

2-2-06
Date of Signature
and Mail Deposit

By:


Trish A. McHughSUPPLEMENTAL RESPONSE

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please amend the above-identified patent application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.